

Marian F. Harrison
Marian F. Harrison
US Bankruptcy Judge



Dated: 07/14/11

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE**

**IN RE: JAMES ALONZO SOWELL,
Debtor-In-Possession**

**Case No. 10-02347-MFH
Chapter 11**

**AGREED ORDER RESOLVING AMERICA'S SERVICING COMPANY'S
OBJECTION TO CONFIRMATION OF CHAPTER 11 PLAN**

This matter came before the Court on July 12, 2011 at the hearing on the Debtor's Chapter 11 Small Business Plan, and the objection of America's Servicing Company, as Authorized Servicing Agent for U.S. Bank National Association, as Trustee for Asset Backed Pass Through Certificates Series 2006-HE1 ("ASC"). The Court finds, based upon the agreement of the parties, as evidenced by the signatures of counsel, as follows:

1. The lien of ASC on the property located at 1236 1st Avenue South, Nashville, Tennessee 37210 is being retained until completion pursuant to 11 U.S.C. §1141(c).
2. The Debtor shall resume monthly mortgage payments of \$207.75, bearing an interest rate of 5.0%, to ASC beginning on August 1, 2011, with any remaining balance due and payable on the new maturity date of July 1, 2041.
3. The payment of taxes and insurance on the property shall be paid directly by the Debtor and will not be included as part of the monthly payment.
4. The Debtor and ASC do hereby stipulate and agree that the total arrears of \$7,374.88 will be paid off at \$122.91 per month over 60 months.
5. Should the Debtor, at any time after the entry of this Order, fail to tender sufficient monies for the monthly mortgage payment or arrearage payment to ASC, then the ASC may file a Notice of Default with the Clerk of the Court with a copy being forwarded to the Debtor and to counsel for the Debtor. The Debtor shall have ten (10) days from the date of filing to cure the default.

If the default is not cured in ten (10) days, then ASC may file a single document styled Notice of Failure to Cure Default and Order Granting Relief from Stay, with a copy being forwarded to the Debtor and to counsel for the Debtor. The provisions of the Automatic Stay of 11 U.S.C. §362 shall then be so amended and modified as to ASC that it shall have relief from the Stay and ASC shall be entitled to realize and pursue all remedies provided for in accordance with its applicable loan and security agreements and state law.

All other provisions of the Confirmation Order shall remain the same except as specifically modified by the terms stated by the parties in this Order.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE.

Approved for Entry:

/s/ Holly M. Bishop
Holly M. Bishop, #26205
Robert H. Moss, #20914
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